

REMARKS

Applicant submits this Reply in response to the Office Action mailed on February 23, 2007. In the Office Action, the Examiner objected to claims 1 and “the related independent claims,” and to claim 10 “and any related dependent claims”; rejected claim 9 under 35 U.S.C. § 112, second paragraph; rejected claims 1, 1-16, and 19-22 under 35 U.S.C. § 102(e) as allegedly being anticipated by Goldman et al. (U.S. Patent No. 7,051,351) (“Goldman”); rejected claims 2, 5, and 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman in view of Khoo et al. (U.S. Patent No. 6,434,747) (“Khoo”); rejected claim 18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman, in view of Herz et al. (U.S. Patent No. 5,754,939) (“Herz”); and rejected claims 23 and 24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman, in view of Campbell et al. (U.S. Patent No. 4,536,791) (“Campbell”). Claims 1, 2, and 5-25 are currently pending, with claims 1 and 6-17 being hereby amended. Claims 1, 6, 7, 8, 16, and 17 are independent.

I. Examiner’s Claim Objections

On pages 2-3 of the Office Action, the Examiner objects to “claim 1 and the related independent claims,” and to “claim 10, and any related dependent claims.” Applicant is not sure which claims the Examiner considers “related” to claim 1 and claim 10. Applicant has amended claim 10 so the objection is now moot.

Regarding claim 1, Applicant does not agree with Examiner that “the third to last paragraph of the claim is unclear” and does not agree with the Examiner’s interpretation of the claim. The third to last paragraph of claim 1 recites the following:

“transmission means for transmitting said contents data and said individual data generated by said generation means via said network to

said other apparatus, to enable said contents data, said general additional information and said individual additional information to be simultaneously displayed on a display screen at said other apparatus”

Without providing any explanation or justification, the Examiner asserts that this clause is unclear and interprets it to mean “the individual and general information are used in generating means and are not transmitted along with the content.” Office Action at 2. Applicant respectfully disagrees. The above clause is not unclear, and does not state, suggest, or imply such an interpretation. On the contrary, the subsequent clause in claim 1 states “whereby said contents data is delivered together with said extracted general additional information and said extracted individual additional information.” It is improper for the Examiner to apply his own interpretation to a claim element, where the claim element is clear and the Examiner’s interpretation is inconsistent with the remaining claim language. Thus, Applicant requests that the Examiner interpret the claims as set forth in the claim language.

II. Rejections Under 35 U.S.C. § 112, Second Paragraph

On page 3 of the Office Action, the Examiner rejects claim 9, asserting that the phrase “said object” has insufficient antecedent basis. Applicant has amended claim 9, and the rejection is now moot.

III. Rejections Under 35 U.S.C. § 102(e)

Applicant respectfully traverses the rejection of claims 1, 6-16, and 19-22 as allegedly being anticipated by Goldman.

Claim 1 recites “[a]n information processing apparatus for delivering contents data via a network to another apparatus” comprising, *inter alia*:

“second registration means for registering individual additional information of said contents data on the basis of at least said contents data,

wherein said individual additional information comprises overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data”

The Examiner contends that Goldman discloses the claimed second registration means. Applicant respectfully disagrees. Goldman discloses a method and system for displaying selected Internet advertisements based at least in part on television viewing habits of the person receiving the advertisements. Col. 1, lines 10-15. A user profile, in combination with selection criteria, may be used to select advertisements to be displayed for a recipient. Col. 4, lines 50-52. The user profile may include information “relating to the television program displayed on [a] display device.” Col. 8, lines 6-9. Thus, Goldman discloses displaying advertisements in information documents, and selecting the advertisements based on television programs viewed by a user. Although Goldman discloses compiling “information related to the television program displayed on [a] display device,” col. 8, lines 6-9, Goldman does not disclose registering information comprising “overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data,” as recited in claim 1.

The Examiner asserts that column 8, lines 6-13 of Goldman discloses the claimed individual additional information. This assertion is incorrect. As discussed

above, this portion of Goldman discloses information “relating to the television program displayed on [a] display device.” *Id.* at lines 8-9. This portion of Goldman additionally describes “other user information” such as “demographic information, Internet usage data, [and] geographical information.” Yet none of these disclosed types of information include “overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data,” as recited in claim 1. Neither the cited portion of Goldman, nor any other portion of Goldman discloses this element. For at least these reasons, Goldman fails to disclose each and every element of claim 1. As such, the rejection of claim 1 under 35 U.S.C. § 102(e) should be withdrawn, and the claim allowed.

Claim 1 recites additional subject matter not disclosed by Goldman. For example, claim 1 recites “registering means” for registering specific types of “general” information and “individual” information; further recites “extraction means” for extracting the “general” information and “individual” information based on “user information comprising at least one of user usage status and user usage classification”; “generation means” for generating “individual data” from the “general” and “individual” information; and “transmission means” for transmitting “said contents data and said individual data . . . to enable *said contents data, said general additional information and said individual additional information* to be simultaneously displayed on a display screen”; whereby “*said contents data is delivered together with said extracted general additional information and extracted individual additional information.*” (Emphasis added.)

Goldman merely discloses gathering information related to users and related to television programs, and using this information to select advertisements to include in information documents. It does not disclose the details recited in claim 1.

The Examiner asserts, for example, that column 9, lines 46-55 of Goldman discloses, "contents data is delivered together with extracted general additional information and extracted individual information." Applicant respectfully disagrees. This portion of Goldman states:

An advertisement insertion module 76 inserts data representing selected advertisement 78 into information document 72 after it is retrieved. For example, the selected advertisement may be embedded in the information document 72 according to conventional techniques. After the selected advertisement is inserted, the requested information document 72 is transmitted from remote server 16 to client system 10. Internet browser 56 displays the information document 72 and the selected advertisement 78 on display device 20, which is one example of means for displaying the information document.

Although this portion of Goldman describes transmitting an information document with an advertisement to a client, and displaying the information document and the advertisement on a display device, it does not disclose delivering "contents data" (e.g., the same contents data associated with the claimed "general additional information" and "individual additional information") together with "extracted general additional information" and "extracted individual information" as recited in claim 1.

For at least these additional reasons, Goldman does not disclose each and every element of claim 1. As such, the rejection of claim 1 under 35 U.S.C. § 102(e) should be withdrawn and the claim allowed.

Independent claims 6, 7, 8, 16, and 17, although of different scope, include similar distinguishing features as discussed above in connection with claim 1. As

explained, claim 1 is distinguishable from the cited art. The cited art also does not support the rejection of claims 6, 7, 8, 16, and 17 for at least the same reasons set forth above in connection with claim 1. Therefore, the rejection of claims 6, 7, 8, 16, and 17 under 35 U.S.C. § 102(e) should be withdrawn and the claims allowed.

Claims 9-15 and 19-22 each depend from one of independent claims 1, 6, 7, 8, or 17 and are therefore allowable for at least the same reasons that independent claims 1, 6, 7, 8, and 17 are allowable. Therefore, the rejection of claims 9-15 and 19-22 should be withdrawn and the claims allowed.

IV. Rejections Under 35 U.S.C. § 103(a)

The Examiner rejects claims 2, 5, and 17 as allegedly being unpatentable over Goldman in view of Khoo; rejects claim 18 as allegedly being unpatentable over Goldman, in view of Herz; and rejects claims 23 and 24 as allegedly being unpatentable over Goldman, in view of Campbell. However, none of Khoo, Herz, or Campbell repair the deficiencies of Goldman. As such, Applicant requests that the rejection of claims 2, 5, 17, 18, 23, and 24 be withdrawn and, the claims allowed.

V. Conclusion

In view of the foregoing remarks, this claimed invention is neither anticipated nor rendered obvious in view of the references cited against this application. Applicant therefore requests the Examiner's reconsideration of the application, and the timely allowance of pending claims 1, 2, and 5-25.

The Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Reply, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

If a telephone interview will expedite issuance of this application, the Examiner is requested to call Applicant's representative whose name and registration number appear below, at 202-408-4138 to discuss any remaining issues.

Please grant any extensions of time required to enter this Request for Reconsideration and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: May 23, 2007

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